

**BRAD ELLSWORTH**



1 A. Sometimes.

2 Q. Did you have the opportunity to see them  
3 interact in court?

4 A. Yes. I had known Monica when she was  
5 Mike's secretary in private practice before I was  
6 elected, as well.

7 Q. Would you from time to time interact with  
8 Ms. Daniel when she was working for Mike in his  
9 private law practice?

10 A. Just on a professional basis.

11 Q. Did you ever, at any point in time, see  
12 Mike Anderson do anything toward Monica Daniel which  
13 you thought was improper or inappropriate?

14 A. I did not.

15 Q. Tell us about Mike as prosecutor. What did  
16 you think of his abilities as prosecuting attorney?

17 A. He was a very good prosecutor. I think  
18 he's probably the best prosecutor in our circuit.  
19 This incident here that took place on December 18th,  
20 2005, is pretty bad, I think, and it took him a while  
21 to get going again. But I think he buckled down and  
22 probably did a better job after that than he did  
23 before.

24 Q. When you say this incident that occurred on  
25 December 18th, 2005, would you tell the ladies and

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\* 573-699-4110 \* St. James, Missouri \*

1 or do anything like that?

2 A. Oh, no.

3 Q. Would you have allowed that to have  
4 occurred?

5 A. Oh, no.

6 Q. Were you aware that Millie Williams had a  
7 copy of the tape at the time you issued the subpoena?

8 A. I think that -- at the time I issued it,  
9 no.

10 Q. Did you subsequently learn that she did?

11 A. Yes. Yes.

12 Q. How did you learn that she did?

13 A. I think Mike told me that. I don't know  
14 when. At the time, I didn't know.

15 Q. Did you ever listen to the tape?

16 A. I did not.

17 Q. So I would be correct, as you sit here  
18 today, you still don't know what was said or what  
19 happened out there on the early morning hours of  
20 December 18th; is that correct?

21 A. I do not. I didn't think it was my  
22 business.

23 Q. Did you feel that by issuing the subpoena,  
24 which is marked here as Exhibit 15, you were in any  
25 way violating Ms. Daniel's civil rights?

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1 that Millie Williams had told you that she had  
2 discussed with Texas County Commissioner Linda  
3 Garrett an incident that occurred on or about  
4 December 18, 2005. Did Ms. Williams ever tell you  
5 what she communicated to Commissioner Garrett?

6 A. No. This conversation took place in my  
7 office, when I answered Mr. Steelman's questions  
8 about that little confrontation there, and Mr.  
9 Anderson accused Millie of talking out of school on  
10 him, if you will.

11 And she said, "I didn't talk." And he  
12 said, "Yes, you did. You talked to Linda Garrett."  
13 And she said, "Well, she's the commissioner." So I  
14 didn't recall any particular questions other than  
15 what happened, you know, that kind of thing.

16 Q. Okay. And to your understanding during the  
17 time that you were serving as Associate Circuit Court  
18 Judge for Texas County, Missouri, Ms. Garrett had no  
19 supervisory authority over your courtroom staff, did  
20 she?

21 A. No, she did not.

22 Q. When Mr. Anderson asked you to execute the  
23 criminal investigative subpoena that's been  
24 identified as Plaintiff's Exhibit 15, was it your  
25 understanding that this subpoena required the

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1 particularly broad in the area of requesting  
2 investigatory subpoenas to assess whether the pursuit  
3 of charges is appropriate?

4 A. I think that's a broad area. And as  
5 vindicated, the case law seems to indicate it's a  
6 broad area.

7 Q. And would it be accurate in your assessment  
8 of Mr. Anderson's conduct in this case that you did  
9 not find his request for the document -- excuse me --  
10 the subpoena that's identified in the document  
11 labeled Plaintiff's Exhibit 15, it was not your  
12 impression that he was acting with any malice in his  
13 pursuit of that?

14 A. Oh, no. No.

15 Q. And you obviously would not have granted  
16 that subpoena if you believed that he was pursuing  
17 that investigative subpoena with any malicious  
18 intent?

19 A. True.

20 MR. FRANKLIN: I have nothing further.

21 MR. STEELMAN: I have nothing further.

22 MR. WATERS: That shall conclude the  
23 deposition of the Honorable Brad Ellsworth. We're  
24 now going off record.

25 (Off the record.)

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